

MINUTES DRAFT  
Of the March 9<sup>th</sup> 2009  
Woods Bay/Bigfork 440 Working Group  
Held at 10:00am Saddlehorn Office, Bigfork

Kevin Gownley agreed to stand in as Chair as both Chairman Darrow and Vice-Chair Frizzell were absent. Kevin called the meeting to order, with the following members present: Clarice Ryan, Kevin Gownley, Kitty Rich, Anne Moren (DNRC), Steve Lorch, and Tracy Reiling.

Guests: Bill Meyers – Woods Bay, John Zopich(sp?)

Minutes of the Jan 14<sup>th</sup> meeting were reviewed and approved.

The Minutes of the February 3<sup>rd</sup> meeting were reviewed. Kevin wanted to clarify his comment concerning the issuing of Firewood Permits, noting that “my statement was meant as a observation to the potential dangers of personal injury and or potential fire dangers that could be elevated due to the increased amount of activity these non-supervised permits can bring.” The minutes were approved with the addition of this comment.

(Due to small numbers at this meeting it was run very informally and only loosely followed the agenda. We also recapped many points discussed in past meetings.)

Clarice feels a fuel reduction program should be investigated. This followed with a discussion on the possibility of Bio-mass. There are others in the area looking for ways to use downed and hazardous matter for fuel. Yellow Bay Bio Station is an example. Biomass plants could be setup as private industry, if there could be guarantees they could use materials from State and Federal lands. DNRC will check on permit issues for this season.

We wanted to make sure we are communicating enough with the public on what we are accomplishing with in this group. All minutes are posted to the website and an alert goes to everyone who opted to be on the email list. There are also 30 to 40 not online that receive these communications by mail. It was brought up that we should consider scheduling an evening or weekend meeting that others may more freely attend. Not yet ready for another open public meeting as after 9 meetings the group is still conducting research on various options and there really has been no specific recommendation/progress to report. Also having a weekend meeting may only bring about a lengthy back-tracking session that would not help us move forward.

Clarice wondered if the possibility of a community group purchasing the land out right and seeing to the preservation of it could be explored. This would mean private ownership and may not meet with the condition of public use but might be something to look at in conjunction with one or more of the other tools previously discussed.

Kitty asked about the per acre price given. The estimated range of \$8500 to \$11,000 was given but no formal appraisal value is known at this time. In addition, we need to get an amount for leasing/licensing the property. Most in the group failed to see how we will be able to move forward with out this number. It will be needed in order to have another public meeting.

As to information getting to the public our guest John suggested it would be beneficial to add a blog type message board to the current webpage, where registered users could leave interactive input. Anne

indicated that she was not sure if this would comply with DNRC policies but will check into the possibility of this.

Anne and Steve have found a couple other parcels that may qualify for a land swap with the Forest Service. They are located in the Tally Lake, SW Blacktail and Bitterroot areas. Anne is still trying to reach Steve Brady on this as he is out of town and hopes to have more information on this at our next meeting.

Kitty asked about the possibility of us getting any help from the Legacy Project. Anne's guest, DNRC NWLOCommunity Planner Steve Lorch, has been working on this and feels because phases 1 & 2 have already progressed, we would not qualify. Also he does not see the 440 for a fit into this project as it goes backwards to what they are doing, private (Plum Creek) to State, and 440 is trying to go State (DNRC) to Federal. Kitty asked that he would keep the 440 in mind as the Legacy moves into other phases. Although he struggles to see a fit, he will.

Agenda item #3: Framework for DNRC Land Use License Lease Mechanics as Applied to Natural Areas. Anne explained that research with DNRC legal counsel and Real Estate Bureau has clarified that enacting a Natural Area could be a fairly permanent disposition on the property given the provisions of the Natural Area Act, and that DNRC is very hesitant to support doing so without the designation being accompanied by a more permanent authorization for the land's use (a permanent easement as opposed to a more temporary authorization such as a lease or land use license). The reason for this is that if the lease or land use license lapsed, the Natural Area designation might still be in place but the compensation might not be, and it is important to remember that one of our key objectives is compensation for the beneficiary and we need to be mindful of that. It may be possible to consider compensation occurring in the form of a land use license or lease for uses very similar to those outlined in a Natural Area (without imposing the actual designation), with the intent being to allow the community time to put together financial support for a permanent easement for a designated Natural Area on a key portion (lake/trails) or all of the property, combined with other tools and/or some other long-term solution, provided the seven objectives could all be met by that combination..

Bill wanted to note that this is about the 440 as a whole. All targeted goals are set for the entire area. Wildlife corridors are established throughout and we will not do justice to break-up the area.

Kitty has been in contact with a representative of the Audubon Society and learning of its efforts to help with the Owen Sowerwine Natural Area and how we might benefit. They have a 10 year lease at approximately \$700 per year but the land is considered bottom and wetlands. They also do not at this time have a permanent easement but are working on it. The OSNA was the first Natural Area in the State and given its history and the history of the Natural Areas Act, there are some timing issues in what has occurred when on that effort. Kitty will have more information from them at the next meeting.

Kevin reminded that the School of Mines Chancellor is keeping an eye on this project and is interested in getting full market compensation.

Steve talked about Conservation Easement uses, and indicated that there may be some applicable opportunities with this. Discussion also occurred to clarify the difference between what most people perceive as "easements" (i.e., road rights-of-way) and what DNRC means when they refer to "permanent easements" which are more like "use" easements that are purchased at market rates for perpetuity, as long as the use stays the same.

Anne reported that she had visited briefly with Dave Landstrom of Fish Wildlife and Parks recently at another meeting, and he asked her to share here that he is monitoring the Advisory Group's activities through email but hasn't become involved at this point because his organization is strapped for park development and maintenance funds and he doesn't see a realistic chance of developing the 440 into a FWP park. A fishing access site is more easily created and funded through FWP, however this property doesn't really lend itself to that kind of project.

Next meeting is scheduled for Monday March 30<sup>th</sup>, 10:00 am at Saddlehorn.  
Meeting adjourned .